

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Creation of a Low Power Radio Service)	MM Docket No. 99-25
)	
To: The Commission		
From: WNYC Radio		

REPLY COMMENTS

WNYC Radio, a not-for-profit corporation in the State of New York, and FCC licensee of public radio stations WNYC-FM and WNYC(AM) in New York City, submit these Reply Comments in the above-referenced proceeding on LPFM.

The Public Radio Regional Organizations (the “PRROs”), the Station Resource Group (“SRG”), the Corporation for Public Broadcasting (“CPB”), and National Public Radio (“NPR”) filed initial Comments in this matter. We are strongly supportive of these comments from the public radio industry groups. Additionally, we refer you particularly to the CPB and NPR Comments for an excellent history of the community service provided by public radio and the congressional and FCC support our pursuit of the community service mission has enjoyed. WNYC takes seriously its obligation to continue to serve the people of the New York metropolitan area with high quality local and national news and the most engaging and innovative cultural and music programming.

LPFM, in its current form, would specifically impact WNYC-FM in that it would (1)dramatically decrease our service to the New York metropolitan area outside the 60dBu protected contour; (2)severely limit our ability to increase our service to geographically isolated

part of the region that are unserved or underserved by public radio; and (3) cause significant interference with our unique performance programming.

(1) New York City is the heart of the largest metropolitan area in the country. People in the region are willing to commute enormous distances in order to be part of the New York business community, while living in surroundings unavailable closer to the City. A two-hour ninety-mile one-way daily commute is not uncommon. WNYC-FM is able to serve many of these commuters because the dense lattice of signals in the northeast has grown in a way, with the help of FCC regulations on adjacent and co-channel interference, that permits our signal to be heard well beyond our protected contour. Based on Arbitron data, we estimate that we have 89,500 weekly listeners to our FM station in counties outside or straddling the protected contour. Our membership rolls indicate that we receive over \$600,000 annually from listeners whose mailing addresses are in zip codes outside our protected contour. These listeners receive the signal well enough, and rely on the service we provide enough, to financially support the station. If LPFM stations were established in these areas, WNYC would likely lose this revenue, about 12% of our total membership support.

(2) Additionally, despite the density of radio signals in and around New York City, geographical terrain, particularly the mountains of Northcentral New Jersey, mean that some sections of our region are unserved or underserved by relevant regional public radio. Future efforts to provide such a robust and stable service through translators could be impeded if LPFM stations, facing an uncertain economic future, but serving the legitimate interests of a small subset of the underserved community were given priority.

(3) Finally, WNYC presents unique musical programming of great performers from the classical, jazz and experimental musical world live in our studios. People living at a distance from

New York City who may not be able to stay late to attend a live event are all the more likely to need public radio's presentation of cultural events to keep them involved in the performing arts. Interference from adjacent or co-located LPFM stations would particularly impact these programs. As the NPR and CPB authorized engineering study points out, LPFM interference is a complicated phenomenon, and the kind of high quality sound environment required for the presentation of our unique music programs are precisely the most likely to be adversely affected by LPFM interference.

For these local reasons, we urge the commission not to adopt the LPFM proposed rulemaking. It would reduce the quality of life of members of the New York metropolitan community who have come to rely upon WNYC-FM for access to news, information, and cultural events at least in part because of the physical distance their homes are from their work.

Additionally, based on our understanding of the initial Comments of the public radio industry groups, LPFM will adversely affect public radio nationally in that it will result in (i) the introduction of an intolerable level of new interference throughout the FM band, with public radio bearing the brunt of the effects of new interference because of its typical program modulation; (ii) jeopardization of the substantial federal, state and private investment in public radio; (iii) an unknown (and unknowable) impact on public radio conversion to digital audio broadcasting; (iv) loss of existing public radio FM translator and satellite/repeater service; (v) loss of existing public radio service outside protected contours; and (vi) potential loss of subcarrier services, particularly radio reading services for the print disabled.

We urge the Commission not to sacrifice our public radio stations and our public radio listeners for the illusory benefits of this LPFM proposal. We urge the Commission to look for alternate ways (outside the FM band) to accommodate the proponents of LPFM, if it believes any

such accommodation is appropriate. We ask the Commission to pay heed to our reply Comments and the Comments of our public radio industry groups (PRROs, SRG, NPR, and CPB) and to treat those views as our views in this proceeding. We request that the Commission review with care the “listening tests” on the CD ROMs submitted with NPR’s Comments – those listening tests document the intolerable interference that LPFM will cause if authorized as proposed in this proceeding.

We state unequivocally our firm belief that the record in this proceeding does not support the creation of LPFM in the FM radio band.

Respectfully Submitted,

WNYC Radio

By: Laura R. Walker

Title: President & CEO

Date: September 3, 1999